

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WASHINGTON STATE EMPLOYEES  
CREDIT UNION,

Plaintiff,

v.

NAUTI BOY, Official Number 1051909, its  
Engines, Machinery, Appurtenances, etc., *In*  
*Rem*,

UNKNOWN HEIRS AND BENEFICIARIES  
OF JOE VELASQUEZ, ANGELA  
VELASQUEZ, AMANDA BECKER, and  
UNKNOWN HEIRS AND BENEFICIARIES  
OF JOSEPH VELASQUEZ, III, *In*  
*Personam*,

Defendants.

CASE NO. 23-cv-987

ORDER DENYING APPOINTMENT OF  
SUBSTITUTE CUSTODIAN AND  
DENYING WAIVER OF SERVICE

This matter came before the Court on Plaintiff's Motion For Order Appointing Substitute Custodian, For Permission to Move The Vessel, And For Boarding And Inspection (the "Motion"). Dkt. No. 5. The Local Admiralty Rules state that Plaintiff "*shall*" give notice to the marshal of a motion to appoint a substitute custodian and that Plaintiff's proposed order granting the motion "*must* be reviewed by the marshal prior to presentation to a judicial officer." LAR 135(b) (emphasis added). Plaintiff's motion is silent about whether these requirements have been met. *See*

1 Dkt. As such, Plaintiff's request is DENIED without prejudice. Plaintiff may refile its Motion in  
2 accordance with LAR 135.

3 Plaintiff also requests "that the requirement that Plaintiff serve the order appointing  
4 substitute custodian on the Vessel's owner or owner's agent be waived," without providing  
5 authority or argument in support beyond pointing out that Velazquez is deceased. Dkt. No. 5 at 2.  
6 This appears to be a different request than Plaintiff's request for service of process by publication.  
7 See Dkt. No. 6. Plaintiff's request is DENIED. The Court requests authority and clarification about  
8 the service requirements under these circumstances in any refiled motion.

9 It is so ORDERED.

10 Dated this 18th day of July, 2023.

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13 Jamal N. Whitehead  
14 United States District Judge  
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